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安全理事会

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2004 年 7 月 23 日秘书长给安全理事会主席的信

谨提及《卢旺达问题国际刑事法庭规约》第 12 条之二第 2 款如下：

> “遇有根据本条选出或任命的各分庭常任法官出缺时，秘书长应在同安全理事会主席和大会主席协商后，任命一个符合本规约第 12 条所列资格的人，任满有关职位的剩余任期。”

在这方面，谨通知你，斯里兰卡籍的阿索卡·古纳瓦德纳法官，从 2004 年 6 月 30 日起辞去国际法庭常任法官一职。

斯里兰卡政府已提出斯里兰卡籍的约·阿索卡·达席尔瓦（J. Asoka de Silva）法官为接替古纳瓦德纳法官的人选。其履历附于信后（见附件）。*

我认为达席尔瓦法官符合《国际法庭规约》第 12 条所述资格。我还认为达席尔瓦法官的任命是很适当的，这项任命按照《国际法庭规约》第 12 条之二第(1)款(c)项的设想，确保世界各主要法系在法庭均有适当代表。

我将按照《卢旺达问题国际刑事法庭规约》第 12 条之二第 2 款与你协商达席尔瓦法官的任命。我期待收到你对此事的意见。

科菲·安南（签名）

* 附件只以来件所用语文分发。

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Annex

Curriculum vitae

Joseph Asoka Nihal de Silva

Personal

Born: 17 May 1946

Nationality

Sri Lankan

Qualifications

Academic

Primary and secondary education at St. Anthony's College, Kandy, Sri Lanka

Bachelor of Laws, University of Ceylon, Colombo (LLB), 1971

Master of Laws, University of Colombo (LLM), 1982, in Administrative Law

Graduate course in criminology at the University of Illinois, 1987, including Muslim law, theories of punishment and comparative legal systems

Course in environmental law at the International Development Law Institute, Rome, 1992

Course in drafting commercial agreements at the University of London, 1995

Professional

Enrolled as an Attorney-at-Law of the Supreme Court in 1972

Joined the Attorney General's Department as a Crown Counsel in 1974, advancing to the position of Senior Deputy Solicitor General in 1995

Appointed as a Judge of the Court of Appeal in 1995 and made President of that Court in February 2001

Appointed as a Judge of the Supreme Court on 1 August 2001, the highest court in Sri Lanka

Presently functioning as a Senior Judge of the Supreme Court and presiding over most benches

Experience

In the Attorney General's Department, prosecuted in the original Courts

Represented the Attorney General in criminal appeals before the Court of Appeal and the Supreme Court

In the field of fundamental rights, appeared on behalf of police, armed forces and other governmental departments

Nominated on several occasions as a Judge Advocate at court martial proceedings

Appointed head of the Corporation Division of the Attorney General's Department

Other qualifications

Lecturer and Examiner of the Sri Lanka Law College, appointed by the Council of Legal Education

Visiting Lecturer, University of Colombo and University of Sri Jayawardenapura: 1985-1986

Member, National Dangerous Drugs Control Board: 1990-1992

Member, National Task Force to Formulate Environmental Policy

Represented Sri Lanka at the United Nations Conference on Environment and Development, Rio de Janeiro, Brazil, 1992

Attended several conferences of the South Asian Association for Regional Cooperation (SAARC) and the Law-Asia Conference

Attended conferences on refugee problems in New Delhi (1999) and Geneva (2000)

Attended course for senior judges in Australia organized by the International Development Law Organization

Followed a course in environmental law, International Development Law Institute, Rome, 1992

Followed a course in drafting commercial contracts and arbitration at the University of London, 1995